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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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10 THOMAS LAMONT WILLIAMS EL BEY,
11
12 v.
13 JO GENTRY, *et al.*,
14 Respondents.

Case No. 3:17-cv-00259-MMD-WGC

ORDER

15 Petitioner has submitted a petition for a writ of habeas corpus pursuant to 28
16 U.S.C. § 2241. The Court dismisses this action because petitioner did not pay the filing
17 fee, nor did he submit an application to proceed *in forma pauperis* with a financial
18 certificate and a copy of his inmate account statement, as required by 28 U.S.C.
19 § 1915(a)(2) and Local Rule LSR 1-2. A preliminary review of the petition indicates that a
20 promptly commenced new action would not suffer any difficulties under the one-year time
21 limit of 28 U.S.C. § 2244(d)(1).

22 Reasonable jurists would not find this conclusion to be debatable or wrong, and
23 the Court will not issue a certificate of appealability.


24 It is therefore ordered that the Clerk of the Court send petitioner a blank form for
25 an application to proceed *in forma pauperis* for incarcerated litigants.

26 It is further ordered that this action is dismissed without prejudice to petitioner's
27 commencement of a new action in which he either pays the filing fee in full or submits a
28 complete application to proceed *in forma pauperis*, accompanied by a signed financial

1 certificate and a statement of his inmate account. The Clerk of the Court will enter
2 judgment accordingly and close this action.

3 it is further ordered that a certificate of appealability is denied.

4 DATED THIS 9th day of May 2017.

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7 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE
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